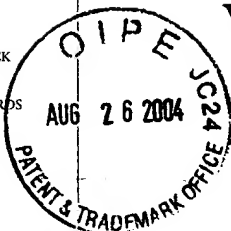


AUG 30 2004

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Express Mail Label No. EV432690957US

PATENT APPLICATION

Docket No: 15436.434.6

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Guenter et al.

Serial No.: 09/577,034

Confirmation No.: 3363

Filed: May 23, 2000

For: SYSTEM AND METHOD FOR VCSEL
POLARIZATION CONTROL

TRANSMITTAL FOR RESPONSE TO FINAL OFFICE ACTION

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is a Response to final Office Action for entry in the above-identified application.



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A. Enclosed

X Notice of Appeal.

X To render the Notice of Appeal timely filed, enclosed is a Petition for Three-Month Extension of Time.

X A Certificate of Mailing by "Express Mail" certifying a submission date for the enclosed documents by use of Express Mail Label No. EV432690957US.

B. Payments

The filing fee has been calculated as shown below.

			SMALL ENTITY		LARGE ENTITY	
FOR	NO. FILED	NO. EXTRA	RATE	FEE	RATE	FEE
BASIC FEE				\$		\$770.00
TOT. CLAIMS	22 – 20 =	2	X 9=		X 18=	\$36.00
IND. CLAIMS	5 – 3 =	2	X 42		X 86=	172.00
MULTIPLE DEPENDENT CLAIM			+140=		+280=	
			TOTAL		TOTAL	\$978.00

X Form PTO-2038 submitting payment in the amount of \$1,280.00 is enclosed to cover the following fees:

X the \$330.00 fee for the Notice of Appeal; and

X the \$950.00 petition fee for the three-month extension of time.

X The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 23-3178.

X Any additional filing fees required under 37 CFR § 1.16.

X Any patent application processing fees under 37 CFR § 1.17.

X A duplicate copy of this letter is enclosed.

Please address all future correspondence in connection with the above-identified patent application to the attention of the undersigned.

Dated this 26th day of August 2004.

Respectfully submitted,



ERIC L. MASCHOFF
Attorney for Applicant
Registration No. 36,596
Customer No. 022913
Telephone: (801) 533-9800



Express Mailing Label No. EV432690957US

PATENT APPLICATION
Docket No. 15436.434.6

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Date of Deposit: August 26, 2004

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

I hereby certify that the following documents are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated below in an envelope addressed to Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450:

- Transmittal for Response to Final Office Action (3pages)(in duplicate)
- Notice of Appeal
- Petition for Three-Month Extension of Time
- Form PTO-2038 submitting payment in the amount of \$1,280.00
- Postcard

Dated this 26th day of August 2004.

Respectfully submitted,

ERIC L. MASCHOFF
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ELM:kjb
KJB0000004599V001